IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO.2460 OF 2004
IN
CUSTOMS APPEAL (LODGING) NO. 18 OF 2004

The Commissioner of Customs,
(Import), Mumbai. Appellant

vs.

P & O (Indian Agencies)Pvt. Ltd. Respondent

None for the appellant.

Mr. K.R.Shriram for the respondent.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 15th October 2004

P.C.

There is delay of six days in filing the appeal.

2. We are satisfied that for the reasons stated in the affidavit in support of notice of motion, the appellant was prevented by sufficient cause in filing the appeal in time. Delay in filing the appeal is condoned.

3. Notice of motion stands disposed of.

4. The question of maintainability of appeal is kept open to be considered when the appeal comes for admission.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)